

105TH CONGRESS
1ST SESSION

S. 961

To provide for rail passenger programs.

IN THE SENATE OF THE UNITED STATES

JUNE 25, 1997

Mr. INOUE (by request) introduced the following bill; which was read twice
and referred to the Committee on Commerce, Science, and Transportation

A BILL

To provide for rail passenger programs.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **TITLE VIII—RAIL PASSENGER**
4 **PROGRAMS**

5 **SECTION 8001. SHORT TITLE.**

6 This Act may be cited as the “Amtrak Restructuring
7 Act of 1997”.

8 SUBTITLE A—FINDINGS

9 **SEC. 8002. FINDINGS.**

10 The Congress finds that—

11 (1) intercity rail passenger service is an essen-
12 tial component of a national intermodal passenger

1 transportation system, and the National Railroad
2 Passenger Corporation (Amtrak) must provide a
3 quality transportation product in the form of clean,
4 comfortable, and on-time service to achieve its full
5 potential;

6 (2) Amtrak has been forced to significantly cut
7 back its rail passenger system due to cash shortages,
8 and further cutbacks may be required unless Amtrak
9 is able to reduce its costs and increase its revenues;

10 (3) to ensure Amtrak's long-term viability as a
11 provider of intercity rail passenger service, all of
12 Amtrak's stakeholders must participate in efforts to
13 reduce Amtrak's costs and increase its revenues;

14 (4) additional management flexibility is needed
15 to allow Amtrak to operate in a businesslike manner
16 in order to adjust quickly to meet demand and
17 changing customer needs;

18 (5) Amtrak's management and employees are
19 dedicated to providing the high-quality service that
20 Amtrak's customers deserve but additional capital
21 investment is needed to acquire the modern equip-
22 ment and efficient facilities that are essential to sat-
23 isfy the demand for superior intercity rail passenger
24 service;

1 (6) the establishment of a secure source of cap-
2 ital investment from the Federal Government
3 through the authorizations included in this bill and
4 additional capital funding from State governments
5 and innovative partnerships with the private sector
6 will enable Amtrak to provide the world class service
7 American rail passengers deserve and will help re-
8 duce operating costs in the long term;

9 (7) the availability of additional capital invest-
10 ment from the Federal Government can and should
11 be used as an incentive to encourage Amtrak to
12 achieve the operating and other efficiencies that are
13 essential to the long-term viability of intercity rail
14 passenger service;

15 (8) Amtrak's management should be held ac-
16 countable to ensure that all capital investment by
17 the Federal Government and State governments is
18 used effectively to improve the quality of service and
19 the long-term financial health of Amtrak;

20 (9) Amtrak's management and its employees
21 should use the collective bargaining process to reach
22 equitable agreements that provide a sound basis for
23 improved customer service and that contribute to the
24 long-term viability of the corporation;

1 (10) States, local governments, and private par-
2 ties can and should play an increasingly significant
3 role in supporting cost-efficient intercity rail pas-
4 senger transportation and in addressing local trans-
5 portation needs and air quality control;

6 (11) State and local governments should have
7 the flexibility to use the Federal transportation
8 funds available to them to support intercity rail pas-
9 senger service as an essential component of the
10 intermodal transportation network in their States;

11 (12) the Secretary of Transportation, as an ex
12 officio member of Amtrak's Board of Directors,
13 should use this position to evaluate Amtrak's costs
14 and revenue elements to ensure that Amtrak pro-
15 vides excellent service to its customers, that Amtrak
16 uses its Federal investment wisely and efficiently,
17 and that Amtrak makes significant and measurable
18 progress in improving the financial performance of
19 intercity rail passenger service; and

20 (13) Amtrak's revenues, including assistance
21 provided by Amtrak's State, local, and private sector
22 partners, should cover Amtrak's operating expenses
23 by fiscal year 2002.

1 PART B—OPERATIONAL REFORMS

2 **SEC. 8101. OPERATION OF INTERCITY RAIL PASSENGER**
 3 **SERVICE.**

4 Chapter 247 of title 49, United States Code, is
 5 amended—

6 (1) by revising section 24701 to read as follows:

7 **“§ 24701. Operation of intercity rail passenger service**

8 “(a) BY AMTRAK.—Amtrak is authorized to provide
 9 cost-effective intercity rail passenger service on those
 10 routes throughout the United States where it can serve
 11 an important transportation function and it can, over the
 12 long term, cover the full operating costs associated with
 13 providing the service through fares and contributions from
 14 State and local governments or other interested parties.
 15 Amtrak’s decisions regarding the initiation, retention,
 16 modification or elimination of intercity rail passenger serv-
 17 ice shall be made on the basis of available financial re-
 18 sources and any agreement Amtrak enters into with a
 19 State or local government or private entity to support rail
 20 passenger service shall be made with the understanding
 21 that the Federal operating subsidy will be eliminated after
 22 fiscal year 2001.

23 “(b) BY OTHERS WITH CONSENT OF AMTRAK.—A
 24 person may provide intercity rail passenger transportation
 25 over a route over which Amtrak provides scheduled inter-

1 city rail passenger transportation only with the consent
 2 of Amtrak.”;

3 (2) by revising section 24702 to read as follows:

4 **“§ 24702. Route and service changes**

5 “(a) ROUTE ADJUSTMENTS.—Amtrak shall adjust its
 6 route structure as it deems appropriate applying sound
 7 business and transportation principles.

8 “(b) NOTICE OF SERVICE CHANGES.—Prior to imple-
 9 menting a route discontinuance that would remove all
 10 service on a route or cut service by more than half, Am-
 11 trak shall provide its employees’ representatives, affected
 12 States, cities and other interested parties with advance no-
 13 tice of at least ninety days in order to enable any of the
 14 affected parties to provide financial support for the route
 15 that would allow for continued operation. Amtrak shall
 16 provide a written notification to the Governor or chief ex-
 17 ecutive officer of each affected State which provides infor-
 18 mation on the costs, revenues and other appropriate con-
 19 siderations in providing the service.

20 “(c) EMERGENCY SITUATIONS.—In an emergency,
 21 Amtrak may implement a route discontinuance with less
 22 than ninety days notice but shall in any event provide as
 23 much notice as possible. An emergency shall exist when
 24 the Corporation’s Board of Directors determines that
 25 funds available to Amtrak for the fiscal year are not suffi-

1 cient to meet estimated operating costs and significant
 2 harm to the Corporation would result if immediate action
 3 is not taken to reduce costs through route reductions and
 4 service eliminations.”.

5 **SEC. 8102. AMTRAK COMMUTER.**

6 (a) REPEAL OF CHAPTER 245.—Chapter 245 of title
 7 49, United States Code, and the item relating thereto in
 8 the table of chapters of subtitle V of such title, are re-
 9 pealed.

10 (b) CONFORMING AMENDMENT.—Section 24301(f) of
 11 title 49, United States Code, is amended to read as fol-
 12 lows:

13 “(f) TAX EXEMPTION FOR CERTAIN COMMUTER AU-
 14 THORITIES.—A commuter authority that was eligible to
 15 make a contract with Amtrak Commute to provide com-
 16 muter rail passenger transportation but which decided to
 17 provide its own rail passenger transportation beginning
 18 January 1, 1983, is exempt, effective October 1, 1981,
 19 from paying a tax or fee to the same extent Amtrak is
 20 exempt.”.

21 (c) TRACKAGE RIGHTS.—The repeal of chapter 245
 22 under subsection (a) of this section shall not affect any
 23 trackage rights held by Amtrak or the Consolidated Rail
 24 Corporation.

1 **SEC. 8103. ROUTE AND SERVICE CRITERIA.**

2 Section 24703 of title 49, United States Code, and
3 the item relating thereto in the table of sections of chapter
4 247 of such title, are repealed.

5 **SEC. 8104. TRANSPORTATION REQUESTED BY STATES, AU-**
6 **THORITIES, AND OTHER PERSONS.**

7 (a) REPEAL.—Section 24704 of title 49, United
8 States Code, and the item relating thereto in the table of
9 sections of chapter 247 of such title, are repealed.

10 (b) STATE, REGIONAL, AND LOCAL COOPERATION.—
11 Section 24101(c)(2) of title 49, United States Code, is
12 amended by inserting “, separately or in combination,”
13 after “and the private sector”.

14 **SEC. 8105. ADDITIONAL QUALIFYING ROUTES.**

15 Section 24705 of title 49, United States Code, and
16 the item relating thereto in the table of sections of chapter
17 247 of such title, are repealed.

18 **SEC. 8106. COST AND PERFORMANCE REVIEW.**

19 Section 24707 of title 49, United States Code, and
20 the item relating thereto in the table of sections of chapter
21 247 of such title, are repealed.

22 **SEC. 8107. SPECIAL COMMUTER TRANSPORTATION.**

23 Section 24708 of title 49, United States Code, and
24 the item relating thereto in the table of sections of chapter
25 247 of such title, are repealed.

1 PART C—FINANCIAL REFORMS

2 **SEC. 8201. EXEMPTION FROM TAXES.**

3 Section 24301(l)(1) of title 49, United States Code,
4 is amended—

5 (1) by inserting “, and any passenger or other
6 customer of Amtrak or such subsidiary,” after “sub-
7 sidiary of Amtrak”;

8 (2) by striking “or fee imposed” and all that
9 follows through “levied on it” and inserting in lieu
10 thereof “, fee, head charge, or other charge, imposed
11 or levied by a State, political subdivision, or local
12 taxing authority, directly or indirectly on Amtrak or
13 on travel in intercity rail passenger transportation or
14 on mail or express transportation provided by Am-
15 trak or a rail carrier subsidiary of Amtrak, or on the
16 carriage of persons, mail, or express, or on the sale
17 of any such transportation, or on the gross receipts
18 derived therefrom”; and

19 (3) by amending the last sentence thereof to
20 read as follows: “In the case of a tax or fee that
21 Amtrak was required to pay as of September 10,
22 1982, Amtrak is not exempt from such tax or fee if
23 it was assessed before April 1, 1997.”.

1 **SEC. 8202. OFFICERS' PAY.**

2 Section 24303(b) of title 49, United States Code, is
 3 amended by inserting “The preceding sentence shall cease
 4 to be effective on the expiration of a fiscal year during
 5 which no Federal operating subsidy is provided to Am-
 6 trak.” after “with comparable responsibility.”.

7 **SEC. 8203. INTERSTATE RAIL COMPACTS.**

8 Subtitle V of title 49, United States Code, is amended
 9 by adding a new chapter 251 at the end thereof as follows:

10 **“CHAPTER 251—INTERSTATE RAIL COMPACTS**

11 **“§ 25101. Interstate rail compacts**

12 “(a) CONSENT TO COMPACTS.—Congress grants con-
 13 sent to States with an interest in a specific form, route,
 14 or corridor of intercity passenger rail service (including
 15 high-speed rail service) to enter into interstate compacts
 16 to promote the provision of the service, including—

17 “(1) retaining an existing service or commenc-
 18 ing a new service;

19 “(2) assembling rights-of-way; and

20 “(3) performing capital improvements, includ-
 21 ing—

22 “(A) the construction and rehabilitation of
 23 maintenance facilities and intermodal passenger
 24 facilities;

25 “(B) the purchase of locomotives; and

1 “(C) operational improvements, including
2 communications, signals, and other systems.

3 “(b) FINANCING.—An interstate compact established
4 by States under subsection (a) of this section may provide
5 that, in order to carry out the compact, the States may—

6 “(1) accept contributions from a unit of State
7 or local government or a person;

8 “(2) use any Federal or State funds made
9 available for intercity passenger rail service (except
10 funds made available to the National Railroad Pas-
11 senger Corporation);

12 “(3) on such terms and conditions as the States
13 consider advisable—

14 “(A) borrow money on a short-term basis
15 and issue notes for the borrowing; and

16 “(B) issue bonds; and

17 “(4) obtain financing by other means permitted
18 under Federal or State law.”.

19 PART D—NORTHEAST CORRIDOR
20 IMPROVEMENTS

21 **SEC. 8301. BOSTON-NEW HAVEN ELECTRIFICATION**
22 **PROJECT.**

23 Section 24902(a)(1)(A) of title 49, United States
24 Code, is amended by striking “and 40 minutes”.

1 **SEC. 8302. PROGRAM MASTER PLAN FOR BOSTON-NEW**
 2 **YORK MAIN LINE.**

3 Section 24903 of title 49, United States Code, and
 4 the item relating thereto in the table of sections of chapter
 5 249 of such title, are repealed.

6 **SEC. 8303. NORTHEAST CORRIDOR IMPROVEMENT PRO-**
 7 **GRAM.**

8 Section 24909 of title 49, United States Code, is
 9 amended to read as follows:

10 **“§ 24909. Northeast Corridor improvements**

11 “(a) CAPITAL IMPROVEMENTS.—Amtrak shall make
 12 capital improvements for the Northeast Corridor improve-
 13 ment program under this title as necessary to operate reli-
 14 able, high-speed rail passenger service, to enhance capac-
 15 ity for intercity and commuter passenger service, and as
 16 otherwise may be necessary to ensure continued reliable
 17 high-speed service. Amtrak shall acquire train equipment
 18 to be used on the Northeast Corridor, mitigate environ-
 19 mental impacts related to the Northeast Corridor improve-
 20 ment project, and provide adequate parking at, and im-
 21 prove Northeast Corridor rail stations.

22 “(b) RHODE ISLAND THIRD TRACK.—(1) There are
 23 authorized to be appropriated to the Secretary to make
 24 grants to the State of Rhode Island, \$10,000,000 for each
 25 of the fiscal years ending September 30, 1998, September
 26 30, 1999, and September 30, 2000, and \$12,000,000 for

1 the fiscal year ending September 30, 2001, to be used to
2 design and construct a third track on the Northeast Cor-
3 ridor between Davisville and Central Falls, Rhode Island.

4 “(2) The third track shall be designed and con-
5 structed with sufficient clearance to accommodate double-
6 stack freight cars.

7 “(3) The funds provided by the Secretary to the State
8 of Rhode Island to design and construct the third track
9 shall be matched by the State of Rhode Island or its des-
10 ignee on a dollar-for-dollar basis.

11 “(c) AVAILABILITY OF AMOUNTS.—Amounts appro-
12 priated under this section remain available until expended.

13 “(d) PREVAILING WAGE STANDARDS.—(1) The Sec-
14 retary of Transportation or Amtrak shall ensure that la-
15 borers and mechanics, employed by contractors and sub-
16 contractors in construction work that is financed to any
17 extent with Federal funds under this section, are paid
18 wages not less than those prevailing on similar construc-
19 tion in the locality, as determined by the Secretary of
20 Labor under the Act of March 3, 1931, as amended,
21 (known as the Davis-Bacon Act) (40 U.S.C. 276a–276a–
22 5). The Secretary of Transportation or Amtrak may ap-
23 prove a grant, loan, or contract only after being assured
24 that required labor standards will be maintained on the
25 construction work. For purposes of this subsection, the

1 Secretary of Labor has the same duties and powers stated
 2 in Reorganization Plan No. 14 of 1950 (eff. May 24,
 3 1950, 64 Stat. 1267) and section 2 of the Act of June
 4 13, 1934 (40 U.S.C. 276c).

5 “(2) Wage rates in a collective bargaining agreement
 6 negotiated under the Railway Labor Act (45 U.S.C. 151,
 7 et seq.) are deemed to comply with the Act of March 3,
 8 1931, as amended, (known as the Davis-Bacon Act) (40
 9 U.S.C. 276a–276a–5) and paragraph (1) of this sub-
 10 section.”.

11 **SEC. 8304. COMMUTER COST SHARING ON THE NORTHEAST**
 12 **CORRIDOR.**

13 (a) DETERMINATION OF COMPENSATION.—Section
 14 24904 of title 49, United States Code, is amended—

15 (1) by striking subsection (b);

16 (2) by redesignating subsection (c) as sub-
 17 section (b);

18 (3) in subsection (b), as so redesignated by
 19 paragraph (2) of this subsection—

20 (A) by striking “TRANSPORTATION
 21 OVER CERTAIN RIGHTS OF WAY AND
 22 FACILITIES” in the subsection head and in-
 23 serting in lieu thereof “FREIGHT TRANS-
 24 PORTATION”;

1 (B) by inserting “relating to rail freight
2 transportation” after “subsection (a)(6) of this
3 section” in paragraph (1); and

4 (C) by inserting “to an agreement de-
5 scribed in paragraph (1)” after “If the parties”
6 in paragraph (2); and

7 (4) by inserting after subsection (b), as so re-
8 designated by paragraph (2) of this subsection, the
9 following new subsection:

10 “(c) BINDING ARBITRATION FOR COMMUTER DIS-
11 PUTES.—(1) If the parties to an agreement described in
12 subsection (a)(6) relating to commuter rail passenger
13 transportation cannot agree to the terms of such agree-
14 ment, the parties shall submit the issues in dispute to
15 binding arbitration under the rules of the American Arbi-
16 tration Association.

17 “(2) The parties to a dispute described in paragraph
18 (1) may agree to use the Surface Transportation Board
19 to arbitrate such dispute and, if asked to arbitrate the
20 Surface Transportation Board shall perform such func-
21 tion.”.

22 (b) NORTHEAST CORRIDOR COST DISPUTE.—Section
23 1163 of the Northeast Rail Service Act of 1981 (45 U.S.C.
24 1111) is repealed.

1 PART E—AUTHORIZATIONS

2 **SEC. 8401. AUTHORIZATION OF APPROPRIATIONS.**

3 (a) Section 24104 of title 49, United States Code,
4 is amended to read as follows:

5 **“§ 24104. Authorization of appropriations**

6 “(a) OPERATING GRANTS.—There are authorized to
7 be appropriated to the Secretary from the Highway Trust
8 Fund (other than from the Mass Transit Account) to
9 make grants to Amtrak for operating expenses,
10 \$344,000,000 in fiscal year 1998, \$292,000,000 in fiscal
11 year 1999, \$242,000,000 in fiscal year 2000,
12 \$192,000,000 in fiscal year 2001, \$142,000,000 in fiscal
13 year 2002, and \$142,000,000 in fiscal year 2003: *Pro-*
14 *vided, however,* That grants in fiscal years 2002 and 2003
15 shall not be made to offset operating losses, other than
16 for payments to the railroad retirement and railroad un-
17 employment systems. Such payments in fiscal years 2002
18 and 2003 shall not be considered a Federal operating sub-
19 sidy for the purposes of sections 8101, 8202, 8505, 8506,
20 and 8512.

21 “(b) CAPITAL INVESTMENTS.—There are authorized
22 to be appropriated to the Secretary from the Highway
23 Trust Fund (other than from the Mass Transit Account)
24 to make grants to Amtrak for capital investments, includ-
25 ing expenses related to debt service and investments in

1 the Northeast Corridor authorized by section 24909(a) of
 2 this title, \$445,450,000 in fiscal year 1998, and
 3 \$423,450,000 in each of the fiscal years 1999, 2000,
 4 2001, 2002, and 2003.

5 “(c) SUPPLEMENTAL CAPITAL INVESTMENTS.—(1)
 6 There are authorized to be appropriated to the Secretary
 7 from the Highway Trust Fund (other than from the Mass
 8 Transit Account) to make grants to Amtrak for supple-
 9 mental capital investments, including expenses related to
 10 debt service and investments in the Northeast Corridor
 11 authorized by section 24909(a) of this title, \$95,000,000
 12 in fiscal year 1999, \$168,000,000 in fiscal year 2000,
 13 \$240,000,000 in fiscal year 2001, \$313,000,000 in fiscal
 14 year 2002, and \$165,000,000 in fiscal year 2003.

15 “(2) The Secretary may make grants to Amtrak for
 16 supplemental capital investments up to the maximum
 17 amount authorized:

18 “(A) For fiscal year 1999, if the Secretary de-
 19 termines that Amtrak has taken specific and meas-
 20 urable actions to reduce expenses and increase reve-
 21 nues consistent with a plan to achieve the operating
 22 subsidy reductions identified in subsection (a) of this
 23 section.

24 “(B) For fiscal years 2000, 2001, 2002, and
 25 2003, if the Secretary determines, based upon a re-

1 port from Amtrak’s independent auditor, that during
2 the penultimate fiscal year prior to the year in which
3 the grant would be made, Amtrak’s revenues plus
4 the amount of operating assistance authorized for
5 that year under subsection (a) of this section
6 equaled or exceeded Amtrak’s operating expenses for
7 that year.

8 “(C) The Secretary shall provide the appropria-
9 tions committees of the Senate and the House of
10 Representatives, at the time of the submittal of the
11 President’s annual budget request, the current ap-
12 proved plan to achieve Amtrak’s operating subsidy
13 reductions and a report on Amtrak’s progress in im-
14 plementing that plan.

15 “(d) DEFINITION.—As used in this section, capital
16 investments are those expenditures that are commonly
17 classified by freight or commuter railroads as capital im-
18 provements in accordance with the current findings of the
19 Financial Accounting Standards Board.

20 “(e) CONTRACT AUTHORITY.—Notwithstanding any
21 other provision of law, approval by the Secretary in fiscal
22 year 1999 or thereafter of a grant or contract with funds
23 made available by paragraphs (a), (b), (c), or (d) of this
24 section shall be deemed a contractual obligation of the
25 United States.

1 “(f) AVAILABILITY OF APPROPRIATIONS.—Amounts
2 appropriated under this section remain available until ex-
3 pended.

4 “(g) LIMITATIONS ON USE.—Amounts appropriated
5 under this section may not be used to subsidize operating
6 losses of commuter rail passenger or rail freight transpor-
7 tation.”.

8 (b) CONFORMING AMENDMENT.—Section 24304(d)
9 of title 49, United States Code, is amended by deleting
10 “24104(d)” and substituting “24104”.

11 PART F—MISCELLANEOUS

12 **SEC. 8501. WORLD CLASS SERVICE.**

13 Section 24101(c) of title 49, United States Code, is
14 amended by redesignating paragraphs (10) and (11) as
15 (12) and (13), respectively, and by inserting after para-
16 graph (9) the following:

17 “(10) manage capital investment in such a way
18 as to provide customers with world class service;

19 “(11) treat all passengers with respect, cour-
20 tesy, and dignity;”.

21 **SEC. 8502. DEFINITIONS.**

22 Section 24102 of title 49, United States Code, is
23 amended—

24 (1) by striking paragraphs (2), (3), and (11);

1 (2) by redesignating paragraphs (4) through
2 (8) as paragraphs (2) through (6), respectively;

3 (3) by inserting after paragraph (6), as so re-
4 designated by paragraph (2) of this section, the fol-
5 lowing new paragraph:

6 “(7) ‘rail passenger transportation’ means the
7 interstate, intrastate, or international transportation
8 of passengers, mail and express by rail;”;

9 (4) in paragraph (6), as so redesignated by
10 paragraph (2) of this section, by inserting “, includ-
11 ing a unit of State or local government,” after
12 “means a person”; and

13 (5) by redesignating paragraphs (9) and (10)
14 as paragraphs (8) and (9), respectively.

15 **SEC. 8503. STATUS AND APPLICABLE LAWS.**

16 Section 24301(a)(1) of title 49, United States Code,
17 is amended by striking “rail carrier under section 10102”
18 and inserting in lieu thereof “railroad carrier under sec-
19 tion 20102(2) and chapters 261 and 281 of this title”.

20 **SEC. 8504. PRINCIPAL OFFICE AND PLACE OF BUSINESS.**

21 Section 24301(b) of title 49, United States Code, is
22 amended—

23 (1) by striking the first sentence;

24 (2) by striking “of the District of Columbia”
25 and inserting in lieu thereof “of the State in which

1 its principal office and place of business is located”;
 2 and

3 (3) by inserting “For purposes of this sub-
 4 section, the term ‘State’ includes the District of Co-
 5 lumbia. Notwithstanding section 3 of the District of
 6 Columbia Business Corporation Act, Amtrak, if its
 7 principal office and place of business is located in
 8 the District of Columbia, shall be considered orga-
 9 nized under the provisions of such Act.” after “in a
 10 civil action.”.

11 **SEC. 8505. FREEDOM OF INFORMATION ACT.**

12 Section 24301(e) of title 49, United States Code, is
 13 amended by adding at the end thereof the following: “Sec-
 14 tion 552 of title 5, United States Code, shall not apply
 15 to Amtrak in any fiscal year for which Amtrak receives
 16 no Federal operating subsidy.”.

17 **SEC. 8506. CONTRACTING PRACTICES.**

18 Section 24305 of title 49, United States Code, is
 19 amended—

20 (1) in subsection (b) by deleting the existing
 21 text and inserting in lieu thereof:

22 “(b) BELOW-COST COMPETITION.—Amtrak shall not
 23 submit any bid for the performance of services for an
 24 amount less than the cost to Amtrak of performing such
 25 services, with respect to any activity other than the provi-

1 sion of intercity rail passenger transportation, or mail or
 2 express transportation. For purposes of this subsection,
 3 the cost to Amtrak of performing services shall be deter-
 4 mined using generally accepted accounting principles for
 5 contracting. This subsection shall not apply for any fiscal
 6 year for which Amtrak receives no Federal operating sub-
 7 sidy.”; and

8 (2) by adding at the end the following new sub-
 9 section:

10 “(g) RAIL AND MOTOR CARRIER PASSENGER SERV-
 11 ICE.—(1) Notwithstanding any other provision of law
 12 (other than subsection (a) of this section), Amtrak and
 13 motor carriers of passengers are authorized—

14 “(A) to combine or package their respective
 15 services and facilities to the public as a means of in-
 16 creasing revenues; and

17 “(B) to coordinate schedules, routes, rates, res-
 18 ervations, and ticketing to provide for enhanced
 19 intermodal surface transportation.

20 “(2) The authority granted by this subsection is sub-
 21 ject to the review of the Surface Transportation Board,
 22 and such authority may be modified or revoked by the
 23 Surface Transportation Board if in the public interest.”.

1 **SEC. 8507. ASSISTANCE FOR UPGRADING FACILITIES.**

2 Section 24310 of title 49, United States Code, and
3 the item relating thereto in the table of sections of chapter
4 243 of such title, are repealed.

5 **SEC. 8508. LABOR STANDARDS.**

6 Section 24312(a) of title 49, United States Code, is
7 amended by deleting “, 24701(a) or 24704(b)(2)” and in-
8 serting in lieu thereof “or 24701(a)”.

9 **SEC. 8509. RAIL SAFETY SYSTEM PROGRAM.**

10 Section 24313 of title 49, United States Code, and
11 the item relating thereto in the table of sections of chapter
12 243 of such title, are repealed.

13 **SEC. 8510. DEMONSTRATION OF NEW TECHNOLOGY.**

14 Section 24314 of title 49, United States Code, and
15 the item relating thereto in the table of sections of chapter
16 243 of such title, are repealed.

17 **SEC. 8511. ACCESS TO RECORDS AND ACCOUNTS.**

18 Section 24315 of title 49, United States Code, is
19 amended—

20 (1) in subsection (a)(1) by redesignating sub-
21 paragraphs (D), (E), (F), (G), and (H) as subpara-
22 graphs (E), (F), (G), (H) and (I), and by inserting
23 after paragraph (C) the following:

24 “(D) the long-term profit or loss;”;

25 (2) in subsection (a) by deleting paragraph (2)
26 and inserting a new paragraph (2) as follows:

1 “(2) provides an update that describes Am-
2 trak’s efforts and accomplishments in implementing
3 the Program Master Plans for the Northeast Cor-
4 ridor prepared by the Secretary and Amtrak and
5 submitted to the Congress, including a description of
6 completed improvements, ongoing projects and need-
7 ed future investment, and a description of capital
8 projects undertaken by other Northeast Corridor
9 users.”;

10 (3) in subsection (b) by redesignating para-
11 graph (2) as (3), and by inserting after paragraph
12 (1) the following:

13 “(2) Amtrak shall include in the report required
14 under paragraph (1) projections of the anticipated
15 benefits of the capital projects Amtrak proposes to
16 fund with Federal funding and a description of the
17 benefits actually realized from all projects previously
18 funded beginning with funds provided in fiscal year
19 1997. The report shall include an identification of
20 improvements in the quality of service offered by
21 Amtrak, facility improvements that demonstrate a
22 productivity gain, equipment improvements that
23 lower operating costs, environmental benefits (in-
24 cluding air quality and land use benefits), enhance-
25 ments to local transportation needs, enhancements

1 to mobility of physically and economically disadvan-
 2 tagged persons, any improvement of the revenue-to-
 3 cost ratio, any reduced dependence on Federal oper-
 4 ating support, and reductions in the need for alter-
 5 native transportation investments. To the extent
 6 practicable, the benefits addressed in each report
 7 shall also be expressed as return on invested cap-
 8 ital.”;

9 (4) in subsection (e), by inserting “financial or”
 10 after “Comptroller General may conduct”; and

11 (5) by adding at the end the following new sub-
 12 section:

13 “(h) ACCESS TO RECORDS AND ACCOUNT.—A State
 14 shall have access to Amtrak’s records, accounts, and other
 15 necessary documents used to determine the amount of any
 16 payment to Amtrak required of the State.”.

17 **SEC. 8512. INSPECTOR GENERAL ACT OF 1978 AMENDMENT.**

18 (a) AMENDMENT.—

19 (1) IN GENERAL.—Section 8G(a)(2) of the In-
 20 spector General Act of 1978 (5 U.S.C. App.) is
 21 amended by striking “Amtrak,”.

22 (2) EFFECTIVE DATE.—The amendment made
 23 by paragraph (1) shall take effect in the first fiscal
 24 year for which Amtrak receives no Federal operating
 25 subsidy.

1 (b) AMTRAK NOT A FEDERAL ENTITY.—Amtrak
 2 shall not be considered a Federal entity for purposes of
 3 the Inspector General Act of 1978. The preceding sen-
 4 tence shall take effect in the first fiscal year for which
 5 Amtrak receives no Federal operating subsidy.

6 PART G—HIGH-SPEED RAIL

7 **SEC. 8601. HIGH-SPEED RAIL TECHNOLOGY IMPROVE-**
 8 **MENTS.**

9 Section 26104 of title 49, United States Code, is
 10 amended by redesignating subsection (d) as subsection (e)
 11 and by adding a new subsection (d) as follows:

12 “(d) FISCAL YEARS 1998–2003.—There are author-
 13 ized to be appropriated to the Secretary \$19,595,000 for
 14 each of the fiscal years 1998 through 2003, for carrying
 15 out section 26102 (including payment of administrative
 16 expenses related thereto).”.

17 **SEC. 8602. HIGH-SPEED RAIL NOISE REGULATION.**

18 Chapter 201 of title 49, United States Code, is
 19 amended by adding a new section at the end thereof as
 20 follows:

21 **“§ 20154. High-speed rail noise regulation**

22 “The Secretary, in consultation with the Adminis-
 23 trator of the Environmental Protection Agency, shall pre-
 24 scribe regulations addressing noise emissions from high-
 25 speed rail systems, including magnetic levitation systems,

1 when operating at speeds greater than 150 miles-per-hour.
2 Regulations issued under this section shall be in lieu of
3 railroad-related noise regulations issued pursuant to the
4 Noise Control Act of 1972 (42 U.S.C. 4916(a)) only for
5 locomotives, cars and consists of locomotives and cars
6 when operating at speeds greater than 150 miles-per-
7 hour.”.

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